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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SIXTH APPELLATE DISTRICT

THE PEOPLE,

Plaintiff and Respondent,

v.

ADELFO SANTIAGO BAUTISTA,

Defendant and Appellant.

H046357

(Monterey County

Super. Ct. No. 18CR003722)

Defendant Adelfo Santiago Bautista appeals the judgment entered after he pleaded no contest to driving under the influence causing injury and admitted two prior DUI convictions. Appointed counsel filed an opening brief summarizing the case but raising no issues. The clerk of this court sent a letter to defendant notifying him of his right to submit written argument on his own behalf, and he has not done so. Having reviewed the entire record, we find no arguable appellate issue. We therefore briefly describe the underlying proceedings and will affirm the judgment. (See *People v. Wende* (1979) 25 Cal.3d 436, 440–441; *People v. Kelly* (2006) 40 Cal.4th 106, 110.)

Defendant drove the wrong way on Highway 101 while under the influence of alcohol. He collided with another car, then continued driving against traffic until he crashed into two more. One car rolled over and the driver suffered significant injuries. The other car’s occupants were injured as well. Defendant was charged with driving under the influence causing injury (Veh. Code, § 23153, subd. (a)); driving the wrong way on a divided highway (Veh. Code, § 21651, subd. (c)); giving false information to a

peace officer (Pen. Code, § 148.9, subd. (a)); and driving when his license was suspended from a previous DUI conviction (Veh. Code, § 14601.2, subd. (a)). The complaint alleged enhancements causing great bodily injury (Pen. Code, § 12022.7, subd. (a)); injuring multiple victims (Veh. Code, § 23558); and having two prior DUI convictions (Veh. Code, § 23540).

Under a negotiated plea agreement, defendant pleaded no contest to driving under the influence causing injury and admitted the prior convictions. The remaining counts and enhancements were dismissed. Defendant was sentenced to the agreed term of three years in prison. The trial court also ordered that he serve a consecutive 364 days in county jail for a probation violation, with 332 days of custody credit (case No. MK079865A). Fines and fees were imposed: a \$900 restitution fine (Pen. Code, § 1202.4, subd. (b)); a \$40 court operations assessment (Pen. Code, § 1465.8); a \$30 court facilities assessment (Gov. Code, § 70373); and a \$4 emergency air transportation fee (Gov. Code, § 76000.10). Restitution in an amount to be determined was ordered payable to each victim and the California Victim Compensation Board.

Defendant timely filed a notice of appeal and obtained a certificate of probable cause.

DISPOSITION

The judgment is affirmed.

Grover, J.

WE CONCUR:

Mihara, Acting P. J.

Danner, J.

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